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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,353	03/26/2004	David Vanker	2665/7	4509

7590 06/01/2005

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EXAMINER

LANEAU, RONALD

ART UNIT PAPER NUMBER

3627

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/810,353

Applicant(s)

VANKER ET AL.

Examiner

Ronald Laneau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolven et al (US 6,246,994).

As per claim 1, Wolven discloses a method for transferring information between multiple buyers and vendors (see abstract) that includes receiving information regarding a plurality of products from a plurality of sources (col. 3 line 20+), storing the information in a first database (30, Fig. 1), receiving a request for a portion of the information stored in the first database (col. 6 line 49+), retrieving the information corresponding to the request and using it to maintain a dynamic record of product availability in a second database (col. 6 line 53+, col. 7 line 5+, col. 7 line 10+), and providing selective access to subsets of the second database to a plurality of subscribers (col. 7 line 10+). It would be obvious to one skilled in the art that the sources and subscribers could be a variety of entities, including vendors or buyers, and the information could be static or dynamic in nature.

As per claim 2, access is provided (via the interface unit, 20, see Fig. 1) between the subscriber (100) and the sources (40). With regard to claims 4-9, the first database includes product information and access to information/databases is only granted to certain entities.

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As per claim 3, Wolven discloses an inventory management system (10, Fig. 1) that includes a central node (20), a plurality of vendors (40) electronically coupled to the central node, a plurality of buyers (100) coupled to the central node, and first (30) and second (44, col. 6 line 53+, col. 7 line 5+, col. 7 line 17) databases electronically coupled to the central node, wherein a request from one of the buyers is received at the central node (col. 6 line 62) which obtains information stored on the first database (col. 6 line 49+, col. 7 line 1+) from one of the vendors and displays the information on a second database (col. 6 line 53+, col. 7 line 5+, col. 7 line 17). The system retrieves the information corresponding to the request and uses it to maintain a dynamic record of product availability in a second database (col. 6 line 53+, col. 7 line 5+, col. 7 line 10+), and provides selective access to subsets of the second database to a plurality of subscribers (col. 7 line 10+). It would be obvious to one skilled in the art that the databases could contain a variety of information, such as product or inventory information, and could be static or dynamic in nature.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Tien et al (US 2004/0236645 A1) disclose a vendor-managed inventory system including a VMI hub system, a buyer system, a plurality of vendor systems and an external network which interconnects all these systems.

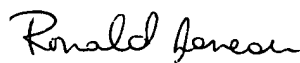
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- Tien et al (US 2004/0243487 A1) disclose a vendor-managed inventory system including a VMI hub system, a buyer system, a plurality of vendor systems and an external network which interconnects all these systems.
- Rosenberg (US 2002/0184088) disclose a system and method for the presentation of advertisements.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (571) 272-6784. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ronald Laneau
Examiner
Art Unit 3627

5/19/05